

**TOWNSHIP OF ABINGTON  
BOARD OF COMMISSIONERS**

**February 9, 2017  
7:30 P.M.**

**CALL TO ORDER**

**ROLL CALL        ZAPPONE, SPIEGELMAN, SANCHEZ, ROTHMAN, MYERS,  
MARKMAN, SCHREIBER, BOWMAN, DiPLACIDO, FARREN,  
GILLESPIE, HECKER, KALINOSKI, KLINE, LUKER**

**Township Manager LEFEVRE  
Assistant Manager WEHMEYER  
Township Tax Collector BLUMENTHAL  
Township Solicitor CLARKE  
Chief of Police LIVINGOOD  
Finance Director BARRON  
Township Engineer POWERS  
Director of Code Enforcement MATTEO  
Director of Parks & Recreation WENDELL  
Director of Public Works MICCIOLO  
Director of W.W.T.P. WRIGLEY  
Fire Marshal CLARK  
Community Development Director STROTHER**

**PLEDGE OF ALLEGIANCE**

**PRESENTATIONS:**

**Presentation of Commendation to Retiree:**

- a.     Charlie Rohrer  
          Call on Commissioner Kalinoski**

**Presentation of Commendation to Retiree, effective March 1, 2017**

- b.     Doug Wendell  
          Call on Commissioner Gillespie**

**SWEARING IN:**

**Chief of Police John A. Livingood by the Honorable Risa Vetri Ferman.**

**APPOINTMENT TO THE LIBRARY BOARD OF TRUSTEES**

**Motion to appoint Thomas F. True to the Library Board of Trustees for a three-year term expiring December 31, 2019.**

**APPROVAL OF MINUTES**

**Board of Commissioners Meeting of January 12, 2017.**

**Ben Sanchez, Director  
Michael Markman, Asst. Director  
Jimmy DiPlacido  
Dennis Zappone  
Carol Gillespie**

**ABINGTON TOWNSHIP  
BOARD OF COMMISSIONERS**

**(1) CODE ENFORCEMENT AND LAND DEVELOPMENT**

**CE1. Public Hearing - Liquor License Transfer Number R-18487 – Resolution No. 17-007 – Giant Food Stores, LLC/737 Huntingdon Pike**

**Call on Staff: Solicitor Michael Clarke**

**Comments: Commissioners**

**Comments: Public**

**Motion to adopt Resolution No. 17-007 authorizing the Giant Food Store at 737 Huntingdon Pike to transfer an existing restaurant liquor license number R-18487 from outside of Abington Township.**

**CE2. Subdivision SD-16-08 – Patrick J. Deacon – 2823 Old Welsh Road**

**Motion to approve the subdivision application of Patrick J. Deacon, applicant for the property located at 2823 Old Welsh Road. The applicant proposes to subdivide the existing property of 21,250 square feet into two lots. Lot No. 1 will contain the existing single-family dwelling and consist of 13,750 square feet. Lot No. 2 is proposed to be 7,500 square feet. Lot No. 2 is proposed to be improved with a new single-family dwelling. The Zoning Hearing Board of the Township of Abington granted a dimensional variance on October 18, 2016 to allow for Lot No. 1 to have one side yard of 7 feet in depth. The properties are zoned in the R-4 Residential District in Ward No. 8 of the Township of Abington.**

**This motion is subject to the following conditions:**

- 1. Sanitary sewer service is available for the development. Flows from this project will be treated by the Abington Township Waste Water Treatment Facility. The applicant has submitted an ACT 537 Exemption Mailer that must be approved by DEP. (Abington Planning Commission approved this request on January 24, 2017).**
- 2. The terms listed within the Staff Review letter dated November 28, 2016 are to be adopted as a condition by the Board of Commissioners of the Township of Abington.**
- 3. The side yard setback on the eastern side of the property is required to be a minimum of 13 feet from the common property line. (As per the Zoning Hearing Board decision of October 18, 2016) and it must be noted on the recorded plan.**

**This motion is subject to the following waivers:**

- 1. Waiver from Section 146-11.A – Property Identification Plan – this plan is required to supply the tax parcel information, owner’s name and lot area for all properties within 400 feet of the site involved in this application. Staff supports this waiver.**
- 2. Waiver from Section 146-11.B – Existing Features Plan – The plan is required to plot the location of all utilities on the sites and within 400 feet of the properties involved in this application. Staff supports this request.**
- 3. Waiver from Section 146-11.C – Proposed Layout Plan – the plan is required to plot the location of all existing utilities to include the size, type and depth of all existing improvements proposed to remain and be removed. Staff supports this request.**
- 4. Waiver from Section 146-39.1 – Shade Trees – The applicant will be planting the required shade trees. However, they seek approval to plant the trees within the front yard setback area and not within five (5) feet of the front property line. (The Planning Commission recommends that trees not be planted within the twenty (20) feet of the front property line).**
- 5. Waiver from Section 146-11.L – Architectural Plan – An architectural plan is required to be submitted with this subdivision plan. A rendering of the proposed single-family dwelling has been submitted.**
- 6. Waiver from Section 146-24 – Right-of-Way Width – To allow the paved surfaces within the right-of-way to remain as currently installed. This request was approved on the prior application. The applicant stated that all setbacks have been plotted from the Ultimate Right-of-Way.**
- 7. Waiver from Section 146-27 – Sidewalks, Curbs & Gutter – The applicant is required to install full street improvements along the frontage of Old Welsh Road. There are no sidewalks, curbs and gutters along either side of Old Welsh Road in this block.**

**CE3. Ordinance No. 2131 – To Amend the Zoning Code, Ordinance No. 1753 of the Township of Abington, to Create Use C-37 Medical Marijuana Dispensary and Use D-18 Medical Marijuana Grower/Processor with the Township of Abington**

**Motion to approve the advertisement of Ordinance No. 2131, and to take action on the following Ordinance No. 2131 at its regularly scheduled meeting on March 9, 2017, at 7:30 p.m.**

**Tom Hecker, Director**  
**Tom Farren, Asst. Director**  
**Steven Kline**  
**Peggy Myers**  
**Drew Rothman**

**ABINGTON TOWNSHIP  
BOARD OF COMMISSIONERS**

**(2) PUBLIC WORKS**

**PW1. Bid Award – Ready Mix Concrete**

**Motion to accept the lowest Responsible Bidder and enter into a contract with Delaware Valley Concrete for the purchase of Ready Mix Concrete as per bid specifications.**

**PW2. Bid Award – Super Pave Asphalt Paving Material**

**Motion to accept the lowest Responsible Bidder and enter into a contract with Eureka Stone Quarry for Part I and Part II of the bid in the amount of \$724,090.00 for the purchase of Super Pave Materials as per bid specifications.**

**PW3. Resolution No. 17-011 – Authorizing the 2014-2017 PaDOT Project Letter Agreement for the Moreland Road Overlay Project**

**Motion to adopt Resolution No. 17-011 authorizing the Township of Abington to execute the 2014-2017 PaDOT Project Letter Agreement for the Moreland Road overlay project. If manhole castings require adjustment, the potential costs could be \$17,391.00 to be paid from Wastewater Operating Account No. 02-10-205-5305.**

Lori Schreiber, Director  
Jimmy DiPlacido, Asst. Director  
Tom Bowman  
John Spiegelman  
Stephen Kalinoski

**ABINGTON TOWNSHIP  
BOARD OF COMMISSIONERS**

**(3) PUBLIC SAFETY**

- PS1. Ordinance No. 2134 – To Amend Chapter 156 (Vehicles and Traffic), Article III – (Parking Regulations), and Section 26 (Parking Prohibited During Certain Hours)**

**Motion to adopt Ordinance No. 2134 amending Chapter 156 (Vehicles and Traffic), Article III – (Parking Regulations) and Section 26 (Parking Prohibited During Certain Hours).**

- PS2. Conditional Appointment – Probationary Police Officer**

**Motion to appoint candidate Nico Belardo from the certified Civil Service Eligibility List to the position of Probationary Police Officer provided he successfully completes the Background, Physical and Psychological tests and all entry requirements of the Municipal Police Officers' Education and Training Commission for Act 120 Training Appointment will be effective February 13, 2017.**

- PS3. Conditional Appointment – Probationary Police Officer**

**Motion to appoint candidate Christopher Petras from the certified Civil Service Eligibility List to the position of Probationary Police Officer provided he successfully completes the Background, Physical and Psychological tests and all entry requirements of the Municipal Police Officers' Education and Training Commission for Act 120 Training Appointment will be effective February 13, 2017.**

- PS4. Conditional Promotion to the Rank of Sergeant**

**Motion to promote Officer Roger Gillispie to the rank of Probationary Sergeant effective February 20, 2017 providing he successfully completes the remaining portions of the promotional process.**

**PS5. Conditional Promotion to the Rank of Sergeant**

**Motion to promote Officer Drew Kent to the rank of Probationary Sergeant effective February 20, 2017 providing he successfully completes the remaining portions of the promotional process.**

**PS6. Appointment of Emergency Management Coordinator**

**Motion to appoint Thomas McAneney as Emergency Management Coordinator for Abington Township effective immediately.**

**PS7. Appointment of Alternate Member to the Civil Service Commission**

**Motion to add one Alternate Member to the Abington Township Civil Service Commission.**



**John Spiegelman, Director  
Tom Bowman, Asst. Director  
Lori Schreiber  
Drew Rothman  
Stephen Kalinoski**

**ABINGTON TOWNSHIP  
BOARD OF COMMISSIONERS**

**(4) PUBLIC AFFAIRS**

**PA1. Resolution No. 17-004 – HOME Program Application – Owner Occupied Rehabilitation Program**

**Motion to adopt Resolution No. 17-004 authorizing the filing of an application to PA DCED in the amount of \$500,000.00 for the Owner Occupied Rehabilitation program. No Township match is required.**

**PA2. Ordinance No. 2135 – Snow and Ice Removal – Chapter 137**

**Motion to adopt Ordinance No. 2135 amending Chapter 137-4 of the Township Code (Snow and Ice, Violations and Penalties) increasing the fine per violation up to a maximum of \$1,000 per offense.**

**PA3. C2P2 Grant Application – Ardsley Wildlife Sanctuary**

**Motion to approve acceptance of the \$40,000 DCNR C2P2 (Community Conservation Partnership Program) development grant for improvements to the Ardsley Wildlife Sanctuary, guided by the Ardsley Wildlife Sanctuary Land Management Plan and the Abington Township MS4 Program, with Abington Township match of \$20,000 derived from the 2017-2018 MS4 budget.**

**PA4. Mowing Contract for 2017, 2018 and 2019**

**Motion to approve M & M Lawncare East in Zones No.2 and No. 4 and Gorecon, Inc. in Zones No. 1 and No. 3 as the lowest responsible bidders for the mowing contract for the years 2017, 2018 and 2019. The total for this contract will be \$83,327.00 per year for the years noted above.**

**PA5. Policy on the Naming of Township Facilities**

**DELETED**

**PA6. KMS/Alta Contract**

**Motion to approve the contract assumption agreement between KMS Design and Alta.**

**PA7. Act 511 Tax – Hearing Officer**

**Motion to reappoint for 2017, Stephen P. Imms, Jr. Esq. as the Abington Township Hearing Officer for Act 511 Tax Appeals.**

**Steven Kline, Director  
Tom Hecker, Asst. Director  
Tom Farren  
Ben Sanchez  
Wayne Luker**

**ABINGTON TOWNSHIP BOARD OF COMMISSIONERS**

**(5) FINANCE COMMITTEE**

**Treasurer's Report: Call on Township Treasurer Jay W. Blumenthal**

**FC1. Investments**

**Motion to approve investments for the month of December as previously circulated to the Board. It was noted that investments for the month totaled \$4,208,000.00. Interest rate yields ranged from 0.900% to 1.30%.**

**FC2. Expenditures/Salaries and Wages**

**Motion to:**

- (A) Approve the December expenditures as previously circulated to the Board, in the amount of \$3,321,213.11 and salaries and wages in the amount of \$2,082,258.96.**
- (B) Authorize the proper officials to sign vouchers in payment of bills and contracts as they mature through the month of March 2017.**

**(Motion and Roll Call)**

**FC3. Training and Conference Expenses**

**Motion to approve the Advance and Travel Expense activity for December 2016 as previously circulated to the Board. Advance and Travel Expense reports were \$0.00 and \$839.22 respectively.**

**Twelve-month expenses totaled \$41,688.83.**

**FC4. Clearing Fund/Deferred Revenue and Expense/Petty Cash**

**Motion to approve the Clearing Fund, the Deferred Revenue/Expense activity and Petty Cash balances for the month of December as previously circulated to the Board.**

**Clearing fund receipts and disbursements for the month of December 2016 were \$3,719.16 and (\$3,432.93), respectively.**

**Deferred Revenue/Expense receipts and disbursements for the month of December 2016 were \$29,948.00 and (\$13,599.50) respectively.**

**FC5. Account Transfer Authorization**

**Motion to authorize a transfer of \$27,139.00 from 2016 Contingency Expense Account No. 01-01-002-5299 to Fire Companies Account No. 01-15-091-5236.**

**FC6. Funding for Legal Fees**

**Motion to appropriate \$50,000 from Fund Balance for legal fees.**

**FC7. Account Transfer Authorization**

**Motion to authorize a transfer of \$9,414.00 from 2016 Contingency Expense Account No. 01-01-002-5299 for 511 tax commissions.**

**FC8. 2017 General Obligation Note Series of 2017**

**Call on Jamie Schlesinger of PFM and Liz Preate Havey of Dilworth Paxon LLP.**

**Motion to adopt Ordinance No. 2130 for the purpose of issuing 2017 General Obligation Note in the amount of \$6.5 million to provide for (1) acquire capital for storm water improvements in an amount not to exceed \$3,000,000 and (2) Township matches of grants and (3) purchase of refuse vehicles and (4) the payment of all costs and expenses incurred by the Township in connection with the issuance of the 2017 G.O. Note.**

**FC9. Ratification of Willow Grove Mall – Tax Assessment Appeal Settlement**

**Motion to ratify the approval of the Willow Grove Mall Tax Assessment Appeal settlement as agreed by all parties in the Common Pleas Court matter.**